

## 19.805-2 Procedures.

(a) *Offers shall* be solicited from those sources identified in accordance with [19.804-3](#).

(b) The SBA will determine the eligibility of the participants for award of the contract. Eligibility will be determined by the SBA as of the time of submission of initial *offers* which include price. Eligibility is based on Section 8(a) program criteria. An 8(a) participant *must* represent that it is a small business in accordance with the size standard corresponding to the NAICS code assigned to the contract.

(1) In either negotiated or sealed bid competitive 8(a) *acquisitions* SBA will determine the eligibility of the apparent successful *offeror* and advise the *contracting office* within 5 working days after receipt of the *contracting office's* request for an eligibility determination.

(i) If SBA determines that the apparent successful *offeror* is *ineligible*, the *contracting office* will then send to SBA the identity of the next highest evaluated *offeror* for an eligibility determination. The process is repeated until SBA determines that an identified *offeror* is eligible for award.

(ii) If the *contracting officer* believes that the apparent successful *offeror* (or the *offeror* SBA has determined eligible for award) is not responsible to perform the contract, the *contracting officer must* refer the matter to SBA for Certificate of Competency consideration under subpart [19.6](#).

(2) In any case in which an 8(a) participant is determined to be *ineligible*, SBA will notify the 8(a) participant of that determination.

(c) Any party with information questioning the eligibility of an 8(a) participant to continue participation in the 8(a) program or for the purposes of a specific 8(a) award *may* submit such information to the SBA in accordance with 13 CFR 124.112(c).

**Parent topic:** [19.805 Competitive 8\(a\)](#).